

Original

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON APPLICATION FOR APPROVAL
OF THE REDEVELOPMENT PROJECT AND CONSENT TO THE FORMATION
OF STADIUM APARTMENTS, INC.

A. The Hearing. A public hearing was held at 10:00 a.m. on March 13, 1963, in the Gardner Auditorium, State House, Boston, Massachusetts, by the Boston Redevelopment Authority (hereinafter called "the Authority") on an Application (hereinafter called "the Application") filed by John C. Pappas, Thomas A. Pappas and Maurice Simon (hereinafter called "the Applicants") for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960 (hereinafter called "the Project") and for consent to the formation of Stadium Apartments, Inc., a corporation to be organized under the provisions of said Chapter 121A for the purpose of undertaking and carrying out the Project, due notice of said hearing having been given previously by publication on February 25 and March 4, 1963, in the Boston Herald and the Boston Record American, daily newspapers of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A projects and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of

1960. Stephen E. McCloskey, Vice Chairman of the Authority, and James G. Colbert, Melvin J. Massucco, and John P. Ryan, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the construction, operation and maintenance by the 121A Corporation of 280 apartment units and appurtenant facilities on one parcel located at the northeast corner of the intersection of Western Avenue and North Harvard Street in the City of Boston, containing approximately 284,405 square feet described in the boundary description (Exhibit A of the Application) and on a plan entitled, "Boston Redevelopment Authority - Land Use Plan and Disposition Plan", dated March 12, 1962, which was also filed with the Application. The premises on which the project is to be located are hereinafter referred to as the project area. The following structures and facilities are proposed to be constructed thereon:

1. A 280 dwelling unit reinforced concrete structure 110 feet in height containing nine habitable floors with 33,526 square feet per floor, a convenience store, storage space and other appurtenances.
2. A one-story garage, containing approximately 101,500 square feet, to accommodate 336 automobiles and a parking facility to contain 28 visitor spaces.
3. Appurtenant facilities.

C. Authority Action. Before approving the Application, the Authority has considered the Application itself, all documents, plans and exhibits filed with it or referred to in it, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing and the arguments and statements made at the hearing. The members of the Authority have also viewed the project area and the surrounding neighborhood.

The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws since it provides for the construction, operation and maintenance of a decent, safe and sanitary residential structure and appurtenant facilities.

D. The Project Area. The existing conditions warrant a finding that the project area is a "substandard and decadent" area within the meaning of Section 1 of Chapter 121A. On September 26, 1962, the Boston Redevelopment Authority found the project area to be "substandard and decadent" under Chapter 121 of the General Laws in its "Determinations and Findings" for the North Harvard Urban Renewal Area. This finding was concurred in by the Boston City Council on December 27, 1962, in its resolution approving the Urban Renewal Plan for the project area and the State Housing Board on February 1, 1963.

The existing conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in

Chapter 121A of the General Laws. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. It will involve the construction of a substantial and handsome structure providing suitable housing accommodations in an area where there is an existing shortage of such housing. It will provide substantial financial return to the City of Boston. The amounts to be paid to the city in addition to the prescribed statutory minimum (outlined in Exhibit H of the Application) will increase the tax yield from the project area to the city from approximately \$15,000 a year to in excess of \$150,000 a year.

E. Cost of the Project. The cost of the Project appears to have been realistically estimated in the Application. The Project is practicable. The Authority is in receipt of a letter to the Applicants dated March 11, 1963, from the local office of the Federal Housing Administration giving their informal approval for mortgage financing for the Project and authorizing the Applicants to submit a formal application for mortgage insurance after the Urban Renewal Plan has been certified by the Housing and Home Finance Agency. All funds which will be required, in addition to those to be obtained from Federal Housing Administration insured mortgage financing, are available.

F. Master Plan. The Project does not conflict with the Master Plan of the City of Boston. In resolutions adopted by the

Boston Redevelopment Authority and the Boston City Council on September 26, 1962, and December 27, 1962, respectively, both approving the Urban Renewal Plan, it was found and determined that such plan conforms to the General Plan as amended for the locality.

G. Effect of Project. The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will in fact forward the best interests of the City and will constitute a public use and benefit. The apartment structure to be erected under the Project is an attractive and efficiently designed building with ample light and air and appurtenant green spaces and will enhance the general appearance of the area and furnish attractive and necessary living accommodations.

The carrying out of the Project will not in itself involve the destruction of buildings occupied in whole or in part as dwellings, since such destruction will be done in any event by the Authority in carrying out its Urban Renewal Plan for the project area. The Authority will be responsible for the relocation of families displaced from the project area. The Authority has adopted a Relocation Program and the City Council has

determined by resolution adopted December 27, 1962, that the proposals for the proper relocation of the families to be displaced are feasible and that relocation can be responsibly and timely effected.

The project area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

H. Minimum Standards. The minimum standards for financing, construction, maintenance and management of the Project as set forth in Exhibit D filed with and attached to the Application are hereby adopted and imposed as rules and regulations applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960.

In addition to the above, the Authority hereby adopts the rule that no part of the garage structure facing North Harvard Street shall be less than five feet from the parcel line. The Applicant shall submit to the Authority details of the architectural treatment of the facade of this face of the garage structure in conjunction with landscaping proposals for the area between the parcel line and the garage structure.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within 500 feet of one or

more buildings occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church.

The Project does not involve the construction of units which constitute a single building under the Boston building code and zoning law.

I. Deviations. Exhibit G to the Application sets forth the permissions requested for the Project to deviate from zoning, building, health and fire laws, codes, ordinances and regulations in effect in Boston. For the reasons set forth in the Application and supporting documents, in the evidence presented at the hearings and in this report, the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the Project and may, subject to such, if any, conditions as are hereinafter stated with respect thereto respectively, be granted without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances or regulations, respectively; and the Authority is also satisfied, by reliable and generally accepted tests, and by experience in other cities, that the other designs, construction materials, apparatus, equipment or methods specified in the Application and supporting documents, in the evidence presented at

the hearings and in this report, will, subject to said conditions, sufficiently satisfy the purpose for which it or they are to be used and the purposes of such laws, codes, ordinances or regulations.

1. Height and Floor Area Ratio (FAR). Permission to exceed certain height and FAR limitations as set forth in requests numbered I-A-1 and I-B-1 is hereby granted. Because the structure of 110 feet from mean grade of sidewalk abutting the building to the highest point of the roof, exclusive of pent-houses and roof structures, occupies only 12 per cent of the project area, and because it is located so as not to interfere with the light and air of abutting structures, the Authority is of the opinion that the height and FAR limitations may be exceeded without substantially derogating from the height and FAR limitations of the present and proposed zoning codes.
2. Setback. Permission to deviate from certain setback requirements as set forth in requests numbered I-A-2 and I-B-1 is hereby granted to the extent necessary.

3. Parking. The permission set forth in request numbered I-B-2 to deviate from the provisions of Section 4 of the Zoning Regulations to use the project area for parking facilities for use by residents of the Project and their guests only is hereby granted.

4. Convenience Store. The permission set forth in request numbered I-B-3 is granted subject to the following limitations:

That the proposed convenience store be located in the northerly end of the structure on the ground floor and occupy an area not exceeding 1,800 square feet; that the merchandise offered for sale consist of pharmaceuticals, newspapers and magazines, tobacco, selected foodstuffs, and other similar items; that no displays, advertising or other means of attracting customers be allowed outside the apartment building; that egress and fire prevention measures be provided to the extent required by the Building and Fire Departments.

5. Concrete. The permission set forth in request numbered IV-A to follow the model code prepared by the American Concrete Institute is hereby granted.

6. Second Egress. The permission set forth in request numbered IV-B to deviate from Sections 1005 and 1804 of the Building Code requiring that every apartment of four or more rooms shall have at least two remote exits is hereby granted. The floor area of the largest apartment is approximately 1200 square feet. While technically four rooms exist, the Authority is satisfied that the deviation is reasonable because of the relatively small, compact arrangement of the floor plan and because of the excellent egress provided from the floors of the building and from the building itself.

The Authority hereby finds that the Application and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws, Chapter 652 of the Acts of 1960, and the applicable Rules and Regulations of the Authority, and the Authority, for these reasons and for the reasons set forth in the Application and supporting documents, including Exhibit G, and the evidence presented at the hearing, and in this report, hereby approves the Project and consents to the formation of Stadium Apartments, Inc., as requested in the

Application, and consents to the filing of the Agreement of Association for such corporation substantially in the form annexed to said Application.

A. J. Hall
Chairman

Stephen M. Clough
Vice Chairman

James G. Colbert

Nelson J. Massucco

Samuel Ryan

